

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILLIAM PERRY,

Plaintiff,

-against-

ADA MARK ANTHONY MONACO; DA  
ALVIN BRAGG; ADA LISA DEL PIZO; ADA  
STUART SILBERG; ADA ERIN TIERNEY;  
ADA SHIRA ARNOW; ADA ALEXANDRA  
WYNNE; OFFICER THOMAS MULLINS;  
OFFICER DONYA BARDLIVING,

Defendants.

USDC SDNY  
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24-CV-8736 (LJL)

MEMORANDUM AND  
ORDER

LEWIS J. LIMAN, United States District Judge:

On January 17, 2025, *pro se* Plaintiff William Perry (“Perry” or “Plaintiff”) filed an application for a temporary restraining order (“TRO”) enjoining Defendants from relying in any civil proceeding upon the findings of fact in New York State Indictment No. 01389/21. Dkt. No. 8. On February 18, 2025, the Court received an *ex parte* communication from Plaintiff asking the Court to treat Plaintiff’s TRO application as a request for emergency relief in light of his imminent incarceration.

Plaintiff’s TRO application is procedurally deficient. Federal Rule of Civil Procedure 65 states:

The court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney only if

(A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and

(B) the movant’s attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.

Fed. R. Civ. P. 65(b)(1). Plaintiff has not certified that he has made any effort to give written or oral notice to Defendants or provided any explanation as to the reasons why it should not be required. “Even though *pro se* litigants are generally offered wider latitude than those represented by an attorney, they are still required to follow the Federal Rules of Civil Procedure.” *Parker v. DeBuono*, 2000 WL 223841, at \*1 (S.D.N.Y. Feb. 25, 2000) (citation omitted), *aff’d sub nom. Parker v. Com’r DeBuono*, 242 F.3d 366 (2d Cir. 2000); *accord King v. White*, 2020 WL 8464423, at \*2 (S.D.N.Y. July 23, 2020) (Nathan, J.); *Wilson v. Suffolk Cnty. Dist. Att’y*, 2021 WL 4311155, at \*1–2 (E.D.N.Y. Sept. 22, 2021).

Plaintiff’s TRO application is denied for failure to comply with Rule 65’s strict requirements. *See King*, 2020 WL 8464423, at \*2. Plaintiff’s motion for an order to show cause, Dkt. No. 8, is denied without prejudice.

SO ORDERED.

Dated: February 20, 2025  
New York, New York

A handwritten signature in black ink, appearing to read "L. Liman", is written over a horizontal line.

LEWIS J. LIMAN  
United States District Judge